

POOR  
QUALITY  
THE FOLLOWING  
DOCUMENT (S)  
ARE  
FADED & BLURRED

PHOTO MICROGRAPHICS INC.

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition  
of  
Jack and Gloria Barry  
For a Redetermination of a Deficiency or  
a Refund of Personal Income  
Taxes under Article(s) 22 of the  
Tax Law for the (Year(s) 1964

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AFFIDAVIT OF MAILING  
OF NOTICE OF DECISION  
BY (CERTIFIED) MAIL

State of New York  
County of Albany

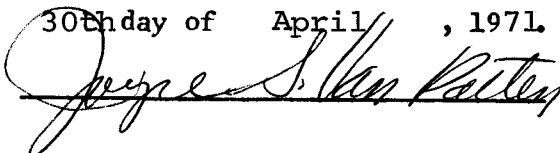
Martha Funaro , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 30th day of April , 19 71, she served the within Notice of Decision (or Determination) by (certified) mail upon Jack and Gloria Barry (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Jack and Gloria Barry  
40 Harmon Street  
Long Beach, New York

and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative of) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

30th day of April , 1971.

  
Joseph S. Van Ratten

  
Martha Funaro

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
JACK AND GLORIA BARRY : DEFAULT ORDER  
for a Redetermination of a Deficiency :  
or for Refund of Personal Income Taxes :  
under Article 22 of the Tax Law for :  
the Year 1964. :

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Petitioners, Jack and Gloria Barry, have filed a petition for a redetermination of a deficiency or for refund of personal income taxes under Article 22 of the Tax Law for the year 1964. (File No. 14365034). A formal hearing on the petition was scheduled before Nigel G. Wright, Hearing Officer, for October 20, 1970, at 3:30 P.M. in the offices of the State Tax Commission, 80 Centre Street, New York, New York. Notice of said hearing was duly given to the petitioners. Petitioners failed to appear at the hearing and no one appeared on their behalf. Their default has been duly recorded.

Now on motion of the attorney for the Department of Taxation and Finance,

IT IS ORDERED that the petition of Jack and Gloria Barry be and the same is hereby denied.

DATED: Albany, New York

*April 30, 1971*

STATE TAX COMMISSION

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

To Wright

Date 5/27 Time 9:46

**WHILE YOU WERE OUT**

Mr. John Dolger

of Levian Unit

Phone \_\_\_\_\_

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL HIM	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	NOTE	<input type="checkbox"/>

Message Jack & Gloria Barry

The 169 address  
was 110 Harmon St.

Long Beach, N.Y.

Same address as

before 1970 - no  
Return as yet.



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A

STATE CAMPUS

ALBANY, N. Y. 12226

AREA CODE 518

457-2655, 6, 7

STATE TAX COMMISSION  
HEARING UNIT

EDWARD ROOK  
SECRETARY TO  
COMMISSION

STATE TAX COMMISSION

NORMAN F. GALLMAN, ACTING PRESIDENT

A. BRUCE MANLEY

MILTON KOERNER

ADDRESS YOUR REPLY TO

Albany, New York

April 30, 1971

Jack and Gloria Barry  
40 Harmon Street  
Long Beach, New York

Dear Mr. & Mrs. Barry:

Please take notice of the **Default Order** of  
the State Tax Commission enclosed herewith.

Please take further notice that pursuant to **section 690**  
the Tax Law any proceeding in court to review an adverse decision  
must be commenced within **4 Months** after  
the date of this notice.

Any inquiries concerning the computation of tax due or refund allowed  
in accordance with this decision or concerning any other matter relat-  
ing hereto may be addressed to the undersigned. These will be referred  
to the proper party for reply.

Very truly yours,

Nigel G. Wright  
HEARING OFFICER

cc Petitioner's Representative  
Law Bureau

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
JACK AND GLORIA BARRY : **DEFAULT ORDER**  
for a Redetermination of a Deficiency :  
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Now on motion of the attorney for the Department of Taxation and Finance,

IT IS ORDERED that the petition of Jack and Gloria Barry be and the same is hereby denied.

DATED: Albany, New York  
*April 30, 1971*

STATE TAX COMMISSION

*Arman Galton*  
\_\_\_\_\_  
COMMISSIONER

*Bruce Manley*  
\_\_\_\_\_  
COMMISSIONER

*Walter Keener*  
\_\_\_\_\_  
COMMISSIONER

AD 32 (2-70) 50M

STATE OF NEW YORK  
Department of Taxation and Finance  
STATE CAMPUS  
ALBANY, N. Y. 12226

**CERTIFIED**

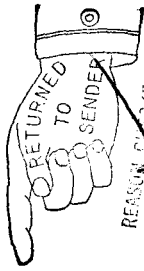
No. 592062

**MAIL**

~~Mr. & Mrs. Jack & Gloria Barry~~

~~40 Harmon Street~~

~~Long Beach, New York~~



REASON CHECKED

Unclaimed  Refused

Address unknown

Insufficient Address

No such street

No such office in state

Do not remain in this envelope

April 27, 1972

Mr. Jack Barry  
333 East Broadway  
Long Beach, New York 11561

Dear Mr. Barry:

This is in reply to your letter of April 9, 1972. It would appear that we enter a determination in your tax matter against you on a default of April 30, 1971.

In view of the fact that your address was changed and you never receive the notice of default, it will be annulled. This matter will now be reset for a conference with the district tax supervisor located at Mineola.

Sincerely yours,

EDWARD ROOK  
Secretary to the  
State Tax Commission

cc: James Soctt, Esq.



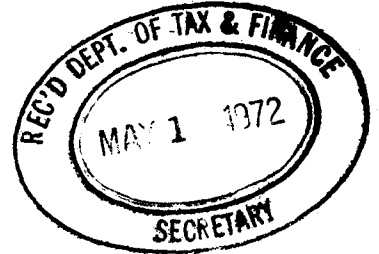
**BUREAU OF LAW  
MEMORANDUM**

TO

FROM :

**Louis Etlinger, Income Tax Bureau**

SUBJECT:

**James Scott****Jack and Gloria Barry****1964 Default Order of the State Tax  
Commission dated April 30, 1971**

In reply to your April 26, 1972 memorandum, I discussed this matter with Edward Rock who agreed to annul the default order and write the taxpayer a letter so advising (copy attached).

In view of the foregoing and since this appears to be a Federal substantiation case, the file is returned herewith for a conference with the Minnola District Tax Supervisor (see last sentence of Mr. Rock's April 27, 1972 letter).

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**Associate Attorney****JB:lk****Enc.****April 28, 1972****cc: Edward Rock, Esq.**